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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN SCHERER,
aka "Detroit,"

Defendant.

3:22-CR-053-MMD-CLB

Preliminary Order of Forfeiture

12 This Court finds Steven Scherer, aka "Detroit," pled guilty to Counts One and Two
13 of a Two-Count Criminal Indictment charging him in Count One with felon in possession
14 of firearms in violation of 18 U.S.C. § 922(g)(1) and in Count Two with possession with
15 intent to distribute a controlled substance in violation of 21 U.S.C. § 841(a)(1). Criminal
16 Indictment, ECF No. 1; Change of Plea, ECF No. 32; Memorandum in Support of Plea,
17 ECF No. 29.

18 This Court imposes the forfeiture of the property set forth in the Memorandum in
19 Support of Plea and the Forfeiture Allegations of the Criminal Indictment. Criminal
20 Indictment, ECF No. 1; Change of Plea, ECF No. 32; Memorandum in Support of Plea,
21 ECF No. 29.

22 This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of
23 America has shown the requisite nexus between property set forth in the Memorandum in
24 Support of Plea and the Forfeiture Allegations of the Criminal Indictment and the offenses
25 to which Steven Scherer, aka "Detroit," pled guilty.

26 The following property is (1) any firearm or ammunition involved in or used in any
27 knowing violation of 18 U.S.C. § 922(g)(1); (2) any firearm or ammunition involved in or
28 used in any violation of any other criminal law of the United States, 21 U.S.C. § 841(a)(1);

(3) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of 21 U.S.C. § 841(a)(1); (4) any firearm used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of property described in 21 U.S.C. § 881(a)(1) and 881(a)(2), in violation of 21 U.S.C. § 841(a)(1) and any proceeds traceable to such property; and (5) any firearm or ammunition intended to be used in any offense punishable under the Controlled Substances Act, 21 U.S.C. § 841(a)(1) and is subject to forfeiture under 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(2); 21 U.S.C. § 881(a)(11) with 28 U.S.C. § 2461(c); and 18 U.S.C. § 924(d)(1), (2)(C), and (3)(B) with 28 U.S.C. § 2461(c):

1. a Harrington & Richardson Tamer .410 gauge shotgun bearing serial number HG413667;
 2. a Smith & Wesson .38 caliber revolver bearing serial number 938490;
 3. a modified Mossberg model 500A .410 gauge shotgun bearing serial number P437004;
 4. a Smith & Wesson .22 caliber revolver bearing serial number K60029; and
 5. any and all compatible ammunition
- (all of which constitutes property).

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights, ownership rights, and all rights, titles, and interests of Steven Scherer, aka "Detroit," in the aforementioned property are forfeited and are vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
2 of America shall publish for at least thirty (30) consecutive days on the official internet
3 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
4 describe the forfeited property, state the times under the applicable statute when a petition
5 contesting the forfeiture must be filed, and state the name and contact information for the
6 government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).
7 Notice is served on any individual or entity on the date when it is placed in the mail,
8 delivered to a commercial carrier, or sent by electronic mail under Fed. R. Crim. P.
9 32.2(b)(6)(D) and Supplemental Rule G(4)(b)(iii)-(v).

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
11 or entity who claims an interest in the forfeited property must file a petition for a hearing to
12 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C.
13 § 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under
14 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the
15 petitioner's right, title, or interest in the property, the time and circumstances of the
16 petitioner's acquisition of the right, title or interest in the property, any additional facts
17 supporting the petitioner's claim, and the relief sought.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
19 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal
20 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, within thirty (30) days
21 of the final publication of notice on the official internet government forfeiture site,
22 www.forfeiture.gov, or his receipt of written notice, whichever is earlier.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
24 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
25 Attorney's Office at the following address at the time of filing:

26 Daniel D. Hollingsworth
Assistant United States Attorney
27 Misty L. Dante
Assistant United States Attorney
28 501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
2 described herein need not be published in the event a Declaration of Forfeiture is issued by
3 the appropriate agency following publication of notice of seizure and intent to
4 administratively forfeit the above-described property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
6 copies of this Order to all counsel of record.

7 DATED January 22, 2024.

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MIRANDA M. DU
12 UNITED STATES DISTRICT JUDGE
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